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Crime prevention and criminal justice

Implementation of the mandates of the United Nations crime prevention and criminal justice programme, with particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolutions 64/293 and 66/181. It summarizes the activities of the United Nations Office on Drugs and Crime to support Member States in their efforts to counter transnational organized crime, corruption and terrorism, as well as to prevent crime and reinforce criminal justice systems. The report also refers to developments relating to the governance and financial situation of the United Nations Office on Drugs and Crime. It further includes information on the status of ratifications or accessions to the United Nations Convention against Transnational Organized Crime and the Protocols thereto and the United Nations Convention against Corruption, as well as emerging policy issues, responses thereto and recommendations aimed at enhancing the United Nations crime prevention and criminal justice programme.

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I. Introduction

1. As the United Nations moves towards 2015 and takes stock of progress towards the Millennium Development Goals, there is growing recognition that corruption, organized crime and related problems are major impediments to their achievement. In implementing the mandates of the United Nations crime prevention and criminal justice programme, the United Nations Office on Drugs and Crime (UNODC) has continued to address transnational threats that undermine security and political stability, threaten the rule of law and hinder the enjoyment of human rights and sustainable development.

2. The present report provides an overview of efforts in that regard undertaken by UNODC, as requested by the General Assembly in its resolution 66/181. The report presents measures taken by the Office with respect to different areas of combating transnational organized crime, crime prevention and criminal justice reform, the application of relevant standards and norms, and data collection. The report also provides available information on implementation by the United Nations system of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly in its resolution 64/293. Emerging policy issues and possible responses thereto are described, as are developments concerning the governance and financial situation of the Office.

II. Action taken by the Commission on Crime Prevention and Criminal Justice

3. At its twenty-first session, from 23 to 27 April 2012, the Commission on Crime Prevention and Criminal Justice held a thematic discussion on the theme "Violence against migrants, migrant workers and their families" covering preventive aspects as well as possible responses. Five of the draft resolutions approved by the Commission at its twenty-first session are to be adopted by the Assembly at its sixty-seventh session, including a draft resolution aimed at promoting efforts to eliminate such violence (see E/2012/30, chap. I).

4. The Commission, in its role as preparatory body for the quinquennial United Nations congresses on crime prevention and criminal justice, approved a draft resolution containing the overall theme, provisional agenda and workshop topics for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice. Its adoption by the Assembly would represent a significant step forward in the preparations for the Thirteenth Congress, to be held in Qatar in 2015.

5. Two draft resolutions for adoption by the Assembly are aimed at enhancing United Nations standards and norms in crime prevention and criminal justice, in particular, the Standard Minimum Rules for the Treatment of Prisoners and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems. Another draft resolution is aimed at strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking.

III. Enhancing international cooperation and responses to transnational organized crime

A. Transnational organized crime

6. The United Nations Convention against Transnational Organized Crime and the Protocols thereto continued to gain adherence by States. In the reporting period, 10 States ratified the Convention (bringing the total number of parties to 168), 6 States ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (bringing the total number of parties to 148), 4 States ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air (bringing the total number of parties to 130), and 8 States ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (bringing the total number of parties to 91).

7. The open-ended intergovernmental working group on the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto considered the draft terms of reference and the comprehensive self-assessment software ("omnibus survey software") at its first meeting, held in Vienna from 17 to 19 May 2011. The first series of informal consultations on the possible review mechanism or mechanisms and the "omnibus survey" were conducted by the Chair of the working group in the second half of 2011. The second meeting of the working group was held in Vienna from 23 to 26 January 2012. The second round of informal consultations will be conducted in preparation for the sixth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, to be held in October 2012.

8. UNODC has continued to provide technical assistance for the ratification and implementation of the Organized Crime Convention and its Protocols, including legal drafting support and advice, training and tools for criminal justice practitioners and the development of national policy and coordination. As emerging forms of crime can often be considered serious crimes, as defined by article 2 of the Convention, UNODC has also continued to provide assistance to States that is specific to emerging forms of crime that are within its purview. UNODC facilitated the delivery of technical assistance by developing and using tools, such as model laws and legislative guides, to assist in the implementation of the Convention and its Protocols.

9. In line with Assembly resolutions 65/232 and 66/181, UNODC provided technical assistance to Member States in combating money-laundering and the financing of terrorism through its Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism, including by addressing the interlinkages between money-laundering and serious organized crime. UNODC delivered legal, policy, institutional and operational assistance to Member States, supporting the development of the professional capacity of law enforcement and prosecuting agencies, in order to analyse, investigate and prosecute money-laundering, related financial crimes and the financing of terrorism.

10. Relevant assistance measures, implemented in various regions across the globe, included the deployment of mentors and long-term consultants to help

strengthen asset confiscation procedures, support for the establishment and training of financial intelligence units, financial investigation training courses for police and prosecutors and the development of train-the-trainer workshops for the development of curricula for national law enforcement training institutions. UNODC continued its mock trial programme to strengthen the capacity of the judiciary to deal with complex financial crime cases, and, in association with the World Customs Organization, piloted a training course on countering the use of cash couriers, aimed at personnel of customs services and other border control agencies, in order to prevent the illicit cross-border movement of cash and bearer negotiable instruments. UNODC also provided assistance to develop informal networks of experts on asset confiscation in order to assist prosecutors and investigators in the identification, tracing, freezing, seizure, confiscation and recovery of the proceeds of crime.

11. In line with Commission on Crime Prevention and Criminal Justice resolution 20/6, UNODC developed a broad, phased strategy and prepared a draft global programme of action to counter trafficking in fraudulent medicines. An international conference is scheduled to be held in Vienna in September 2012, in collaboration with relevant international private and public sector partners. UNODC is also studying the feasibility of developing its capacity to conduct research and analysis of the transnational organized crime dimension of illicit trade in fraudulent medicines, with a view to providing a better framework for evidence-based responses.

12. In the reporting period, UNODC implemented criminal intelligence training programmes for intelligence analysts and a first strategic analysis training course for students in the preparation of serious and organized crime risk assessments, linked to the joint UNODC/International Criminal Police Organization (INTERPOL) publication *Guidance on the Use and Preparation of Serious and Organized Crime Threat Assessments: The SOCTA Handbook*.

13. UNODC supported the creation in 2011 of the Central American Network of Organized Crime Prosecutors, which has made a significant contribution to the strengthening of international judicial cooperation in Central America and is increasingly used by countries in the region. The Network provides a forum for the exchange of information, training and capacity-building related to combating organized crime and drug trafficking, modes of investigation, money-laundering, interception of communications and witness protection. A wide range of specialized training courses for public prosecutors were held, and a series of practical technical guides were developed.

B. Countering trafficking in persons and smuggling of migrants

14. In 2011 and 2012, UNODC continued to provide technical assistance to more than 80 Member States in ratifying and implementing the Trafficking in Persons Protocol and the Smuggling of Migrants Protocol. To that end, UNODC developed various technical tools and carried out activities at the global, regional and national levels in the following areas: prevention and awareness-raising, data collection and research, legislative assistance, strategic planning and policy development, criminal justice system response, protection and support, and regional and international cooperation.

15. Regarding the smuggling of migrants, UNODC produced the film "Ways and Means" for criminal justice practitioners. In South-East Asia, UNODC started to develop voluntary reporting mechanisms to support the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime and enhance the collection and analysis of data on migrant smuggling. UNODC also published the *Toolkit to Combat Smuggling of Migrants*, a compendium of positive practices in the fight against migrant smuggling. Based on its Model Law against the Smuggling of Migrants, UNODC continued to provide legal advice to legislative drafters and to conduct analysis of legal gaps in North, West and East Africa, Central Asia and Central America, and, in that regard, conducted a regional legislative drafting workshop in East Africa. To support strategic planning and policy development, UNODC issued the *International Framework for Action to Implement the Smuggling of Migrants Protocol*. UNODC also developed and adapted the *In-Depth Training Manual on Investigating and Prosecuting the Smuggling of Migrants* to specific local conditions and needs in Mexico and Central America. UNODC supported States through the delivery of training in North Africa, West Africa, Central Asia and South-East Asia, in order to enhance their criminal justice capacities. The issues of international cooperation and the protection of the rights of migrants are emphasized in all technical assistance activities and tools.

Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

16. UNODC continued to manage the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, in line with the United Nations Global Plan of Action to Combat Trafficking in Persons. In the first call for proposals in 2011, more than 250 proposals were received from eligible not-for-profit non-governmental organizations, and 12 proposals were selected for funding.

17. Based on the Global Plan of Action, UNODC is preparing a global report on patterns and flows of trafficking in persons, to be published every two years, commencing in 2012. Having concluded the data collection, analysis and editing, UNODC has finalized the first draft of the global report, which was shared with Member States for their review and comments.

18. UNODC published the First Aid Kit for Use by Law Enforcement First Responders in Addressing Human Trafficking and the Victim Translation Assistance tool, designed to support front-line officers. In 2011, UNODC launched the first global database of human trafficking cases, which already contains more than 270 cases and is steadily increasing. UNODC created the anti-trafficking in persons global training initiative. A curriculum to train future trainers, based on the UNODC *Anti-Human Trafficking Manual for Criminal Justice Practitioners*, was developed, and workshops were conducted in Fiji, Mali and Ukraine. UNODC also initiated research on trafficking in persons for the removal of organs and the linkages between organized crime, human trafficking and the smuggling of migrants. Moreover, UNODC conducted training workshops on the issue of money-laundering in the context of smuggling of migrants and trafficking in persons.

C. Measures against trafficking in firearms

19. UNODC continued to promote and develop technical assistance tools in order to encourage greater adherence to and implementation of the Firearms Protocol. *The Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition* was translated into all official languages and disseminated. In 2011, the Office launched a global project on firearms, with a view to promoting and facilitating the ratification and implementation of the Firearms Protocol. UNODC also began implementation of a project to counter transnational trafficking of illicit arms through the implementation of the Organized Crime Convention and the Firearms Protocol. Assistance was provided to selected countries in South America and Central and West Africa for analysis and the development of legislation to strengthen legal and regulatory frameworks on firearms and to promote regional harmonization of laws and practices.

20. As a member of the United Nations Coordinating Action on Small Arms mechanism and its reference working group, UNODC provided contributions for the development and review of international small arms control standards. In cooperation with regional organizations such as the Economic Community of West African States, the Common Market of the South (MERCOSUR) and the Organization for Security and Cooperation in Europe, UNODC assisted selected countries with the review of domestic laws on firearms.

21. UNODC, together with relevant partners, is developing a digest of organized crime cases, including cases involving trafficking in firearms and related offences, to be published in October 2012. It is aimed at promoting the implementation of the Organized Crime Convention and the Protocols thereto by highlighting relevant cases and investigative and prosecutorial techniques, as well as international cooperation in criminal matters.

D. Curbing corruption

22. At the time of reporting, there were 160 States parties to the United Nations Convention against Corruption. Details on measures taken to prevent and combat corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the Convention are contained in a separate report (A/67/96).

23. The fourth session of the Conference of the States Parties to the United Nations Convention against Corruption was held in Marrakech, Morocco, from 24 to 28 October 2011. The Conference adopted six resolutions: resolution 4/1, entitled "Mechanism for the Review of Implementation of the United Nations Convention against Corruption"; resolution 4/2, entitled "Convening of open-ended intergovernmental expert meetings to enhance international cooperation"; resolution 4/3, entitled "Marrakech declaration on the prevention of corruption"; resolution 4/4, entitled "International cooperation in asset recovery"; resolution 4/5, entitled "Participation of signatories, non-signatories, entities and intergovernmental organizations in the work of the Implementation Review Group"; and resolution 4/6, entitled "Non-governmental organizations and the Mechanism for the Review of Implementation of the United Nations Convention against Corruption".

The Conference also adopted two decisions on its venues for the sixth and seventh sessions (see CAC/COSP/2011/14).

24. The Mechanism for the Review of Implementation of the Convention has been operational since June 2010. The Implementation Review Group held its second session in Vienna from 30 May to 2 June 2011 and its resumed second session in Vienna from 7 to 9 September 2011 and in Marrakech, Morocco, on 25 October 2011. The third session will be held in Vienna from 18 to 22 June 2012.

25. At the time of reporting, the majority of the 27 States parties to the Convention against Corruption under review in the first year had concluded their review. In addition to the dialogue conducted by means of e-mail exchanges and teleconferences, 24 countries under review had requested country visits, one joint meeting had been held in Vienna, and another joint meeting was in the planning stage.

26. Of the 41 countries under review in the second year of the current review cycle, 35 had submitted their self-assessment by the date of reporting, and 20 desk reviews had been prepared. In the second year of the review cycle, 11 country visits had been held, and another 16 were in the planning stages. Several States parties under review had not yet discussed the possibility of further means of direct dialogue or had indicated that they would take a decision after the desk review. Two States parties under review had agreed to hold joint meetings in Vienna (see CAC/COSP/IRG/2012/4).

27. The Open-ended Intergovernmental Working Group on the Prevention of Corruption held its second intersessional meeting in Vienna from 22 to 24 August 2011. The Group decided that at its next meeting it should focus on conflicts of interest, reporting acts of corruption and asset declarations. In addition, the Working Group reaffirmed that States parties should continue to strengthen awareness-raising and education and that special attention should be devoted to work with young people and children. The Secretariat should continue to assist in promoting the implementation of the Convention among the business community.

28. The Open-ended Intergovernmental Working Group on Asset Recovery held its fifth intersessional meeting in Vienna on 25 and 26 August 2011. The Working Group stressed the importance of preparing States for the review of the implementation of chapter V of the Convention in the second phase of the Review Mechanism and encouraged States parties to use the self-assessment checklist to assess their efforts. It also requested the Secretariat to continue its work on collecting and systematizing information on asset recovery cases. The Working Group recommended that further discussion should take place to establish a global network of asset recovery focal points. It urged States parties that had not yet done so to designate their asset recovery focal points.

29. The joint UNODC/World Bank Stolen Asset Recovery (StAR) initiative issued the following studies in 2011: *Barriers to Asset Recovery: An Analysis of the Key Barriers and Recommendations for Action*, a study on illicit enrichment, *The Puppet Masters: How the Corrupt Use Legal Structures to Hide Stolen Assets and What to Do about It*, *Tracking Anti-Corruption and Asset Recovery Commitments* (in cooperation with the Organization for Cooperation and Development (OECD)); and *Identification and Quantification of the Proceeds of Bribery Commitments* (in cooperation with OECD). A study on the impact of settlements on asset recovery is

expected to be published in June 2012. At the time of reporting, the StAR Initiative was also providing country-specific technical assistance, including case-specific assistance and capacity-building, in 16 requesting countries or groups of countries.

30. On 1 September 2011, UNODC launched the Tools and Resources for Anti-Corruption Knowledge (TRACK) anti-corruption portal (www.track.unodc.org). TRACK is a web-based platform containing the Convention against Corruption legal library, an electronic repository of legislation, jurisprudence, anti-corruption strategies and institutional data from 178 States. The legal library was developed and is administered by UNODC and is supported by the StAR Initiative.

31. In the reporting period, UNODC provided technical assistance to more than 40 requesting countries and, at the regional level, to five regions. Four anti-corruption mentors provided assistance in the Democratic Republic of the Congo and East Africa, Central America and the Caribbean and East Asia.

32. In 2011, UNODC established partnerships with private sector entities and launched several projects aimed at promoting the implementation of the Convention against Corruption among the business community. Three projects financed by the Siemens Integrity Initiative are aimed at reducing vulnerabilities to corruption in public procurement systems, creating systems of legal incentives to encourage corporate integrity and cooperation and educating present and future generations of business and public leaders on the Convention. UNODC, together with OECD and the World Bank, began development of a practical handbook for businesses to bring together guidelines and related material on private sector compliance with anti-corruption guidelines. UNODC also launched a project to identify good practices for preventing corruption in the organization of major public events. Together with Transparency International, the World Economic Forum, the International Chamber of Commerce and the Global Compact Office, UNODC organized a high-level forum on the Convention and global competition in the margins of the fourth session of the Conference of the States Parties to the Convention.

33. The Executive Director of UNODC participated in the annual meeting of the World Economic Forum in 2012. UNODC representatives also attended the World Economic Forum on Europe and Central Asia 2011. In 2011, UNODC co-sponsored and sent representatives to the conference "Joining Forces against Corruption: Group of Twenty Business and Government", organized jointly by the French presidency of the Group of Twenty and OECD. UNODC continued to participate as an observer to the Group of Twenty Anti-Corruption Working Group. In 2012, UNODC was invited to participate in the Task Force on Improving Transparency and Anti-Corruption of the Business 20, an offshoot of the Group of Twenty and a forum for the world's largest companies. UNODC was actively involved in the discussions on the scope and objectives of what specifically business can pledge and in the development of the respective private sector-led policy recommendations, presented to Group of Twenty leaders at the Business 20 and Group of Twenty summits in Los Cabos, Mexico, on 17 and 18 June 2012.

34. UNODC continued to closely cooperate with several partner agencies and international organizations, including the United Nations Development Programme and the International Anti-Corruption Academy. The Office participated in the Council of Europe Group of States against Corruption, the African Union Advisory

Board on Corruption, the OECD Working Group on Bribery in International Business Transactions and the OECD Development Assistance Committee's Network on Governance.

E. Countering terrorism

35. In its resolutions 66/105, 66/171, 66/178 and 66/181, the General Assembly reiterated the mandate of UNODC regarding counter-terrorism technical assistance. During the reporting period, UNODC continued to provide legal technical assistance to Member States in order to enhance their capacity to effectively prevent and combat terrorism. UNODC promoted the ratification of the United Nations conventions and protocols dealing with counter-terrorism, assisted requesting Member States in amending their legislation to reflect the obligations emanating from those instruments and worked to strengthen national criminal justice systems and the rule of law. In the reporting period, the number of ratifications of the international legal counter-terrorism instruments increased by 21, reaching a total of 580.

36. During 2011, UNODC provided legal assistance at the national level to 31 States and organized 22 regional and subregional workshops, reaching an additional 65 States. From January to May 2012, 17 countries were provided with legal assistance at the national level, and 10 regional and subregional workshops were held. In accordance with the United Nations Global Counter-Terrorism Strategy, all UNODC activities sought to reinforce the principle that effective counter-terrorism measures must be based on the rule of law.

37. In response to the increased demand for sustained customized capacity-building assistance on the ground, UNODC continued to engage with Member States in developing national counter-terrorism action plans and supporting their implementation.

38. The Office made significant progress in the implementation of in-depth counter-terrorism country programmes, including those for Afghanistan and Colombia and the Sahel region. Country-specific, long-term counter-terrorism programme activities were initiated for several countries as part of the integrated regional programme for East and South-East Asia. Counter-terrorism activities increased in the Middle East, North Africa and Nigeria. A network of field-based terrorism prevention experts enabled UNODC to continue to work closely with local officials in designing and implementing activities.

39. Increased attention was given to reaching out to practitioners involved in the investigation, prosecution and adjudication of concrete cases; assistance for strengthening international, regional and subregional cooperation; and providing expertise in specialized legal areas, including the use of the Internet for terrorist purposes, the financing of terrorism, nuclear, chemical, biological and radiological terrorism and transportation-related security.

40. In response to General Assembly resolution 64/168, UNODC focused on the key role that victims of terrorism can play before, during and after criminal justice proceedings, and on their needs for assistance and support. A specialized technical assistance tool, *The Criminal Justice Response to Support Victims of Acts of*

Terrorism, was launched in November 2011 and was integrated into UNODC capacity-building activities.

41. Expert group meetings were held in October 2011 and February 2012 to develop a technical assistance tool aimed at strengthening the institutional capacity of law enforcement and criminal justice officials to deliver effective responses based on the rule of law to cases involving the use of the Internet for terrorist purposes.

42. One additional module on international cooperation in criminal matters against terrorism was added to the counter-terrorism legal training curriculum, and an online counter-terrorism learning platform was established to provide online training courses to practitioners for the implementation of the international instruments against terrorism and to strengthen cooperation in that area.

43. Partnerships with national training institutes were enhanced to assist with the development of counter-terrorism training modules and conduct comprehensive train-the-trainer programmes. In the Sahel region, UNODC-trained national trainers delivered workshops, and a regional workshop to train trainers on the UNODC technical assistance tools was held for the Latin American region. Train-the-trainer courses were held in both Afghanistan and Pakistan.

44. UNODC continued to strengthen synergies with other United Nations entities in its counter-terrorism work. UNODC closely cooperated with the Counter-Terrorism Committee of the Security Council and its Executive Directorate, including by participating in eight visits of the Executive Directorate: to Canada, Kyrgyzstan, Mexico, Myanmar, the Niger, Peru and the former Yugoslav Republic of Macedonia and Southern Africa. UNODC contributed as a key player to the work of the Counter-Terrorism Implementation Task Force by participating in its thematic working groups and inter-agency coordination activities. Efforts continue to strengthen coordination and cooperation with partner entities in the delivery of counter-terrorism assistance and in the implementation of the United Nations Global Counter-Terrorism Strategy.

F. International cooperation in the forensic field

45. UNODC supported the development of sustainable forensic science services worldwide, encouraging and facilitating the establishment and sustainability of forensic science networks, promoting the work of national forensic science laboratories and strengthening their technical capabilities and competency. This included collaboration with the International Forensic Strategic Alliance, an alliance of regional forensic science networks covering 82 countries and more than 550 forensic institutions worldwide in areas such as forensic science standards and knowledge transfer. In addressing crime-scene management and fraudulent document examination, UNODC has developed standardized training programmes to strengthen national forensic investigation capacity and combat identity-related crimes.

IV. Preventing crime and strengthening criminal justice systems: the use and application of United Nations standards and norms in crime prevention and criminal justice

46. Within the framework of its thematic programme on crime prevention and criminal justice reform and through its field office network and regional and country programmes, UNODC assisted Member States to develop effective crime prevention strategies and policies and to build the capacity of their criminal justice systems to operate more fairly and effectively within the framework of the rule of law. Based on a comprehensive and integrated approach, the Office paid particular attention to the situation of women and children, as well as victims and witnesses of crime. In the reporting period, significant progress was achieved in various areas, particularly crime prevention, prison reform, violence against women, legal aid and justice for children.

47. The crime prevention and criminal justice technical assistance portfolio of UNODC continued to grow and currently comprises more than 60 projects in almost 30 countries. A number of comprehensive assessments were carried out to form the basis for such integrated programmes.

48. Notable achievements in the area of prison reform include the establishment of the centre of excellence on prison reform and drug demand reduction in the Dominican Republic, as well as the adoption of an action plan for selected Eastern Caribbean States and Barbados and the Dominican Republic, addressing major challenges for prison reform in the region. A number of prison needs assessments were carried out, including in El Salvador, Liberia and Panama. Promoting and facilitating the use of non-custodial measures and reducing overcrowding in prisons are a primary focus for the Office's prison reform activities.

49. UNODC supported more than 90 countries worldwide in developing and strengthening action to prevent and respond to HIV/AIDS in prisons. Technical assistance focused on strengthening the capacity of countries to assess the situation and needs related to HIV in prisons and on carrying out evidence-informed, comprehensive responses to HIV and tuberculosis in conformity with the 2006 UNODC/World Health Organization (WHO)/Joint United Nations Programme on HIV/AIDS guidance note on HIV in prisons.[1] In 2011, UNODC and WHO issued a guidance note on women's health in prison. A comprehensive package for HIV and tuberculosis prevention, treatment, care and support in prisons will be published in 2012.

50. In the area of police reform, UNODC supported several Member States in developing community policing initiatives. New UNODC police reform programmes started in Egypt and Kenya, aimed at promoting police accountability and integrity. Cooperation between UNODC and the police component of the United Nations Mission in South Sudan in the area of police reform, is currently being explored.

51. In order to assist Member States in developing multisector and multidisciplinary crime prevention measures and strategies, the Office implemented

[1] Available from www.unodc.org/pdf/HIV-AIDS_prisons_July06.pdf.

projects in Brazil, Bolivia (Plurinational State of), Mexico and Panama. UNODC supported the implementation of safety audits in Colombia, and victimization surveys were conducted in six countries in Africa. Within the Caribbean Community, UNODC continued to support consultations with Member States to elaborate crime prevention initiatives based on the Caribbean Community crime prevention action plan.

52. Regarding access to justice and legal aid, UNODC assisted several Member States, including Mauritania, Mexico and Panama, in implementing strategies and programmes.

53. In the area of action to counter violence against women, UNODC continued to expand its programme for strengthening criminal justice system responses to gender-based violence, in line with the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice. Efforts were made to further enhance partnerships with relevant United Nations entities and other organizations. In order to strengthen the capacity of Member States to prevent and respond to gender-based violence, UNODC worked with the police and justice sectors in Kenya, South Africa and Viet Nam, as well as with public and civil society institutions in Argentina, Brazil, Chile, Paraguay and Uruguay.

54. UNODC continued its efforts to integrate child rights into its crime prevention and criminal justice programmes and to support child justice reform. It provided policy advice on various justice for children issues to a number of countries. The Office continued the implementation of technical assistance projects in the area of justice for children in Afghanistan, Egypt, Jordan and Lebanon. During the reporting period, the Office undertook technical assistance needs assessments in Cambodia, Cape Verde and South Sudan. In the area of victim assistance and support, an evaluation of the UNODC victim empowerment programme in South Africa was carried out in 2012.

55. Within the framework of the Rule of Law Coordination and Resources Group, UNODC contributed to the development of relevant policy guidance documents, including the guidance note of the Secretary-General on the United Nations approach to assistance for strengthening the rule of law at the international level of May 2011 and the guidance note of the Secretary-General on the United Nations and Statelessness of June 2011. UNODC also worked with the core training group to develop and implement a unified rule of law training programme for United Nations field staff.

56. Collaboration with the Department of Peacekeeping Operations of the Secretariat covered criminal justice reform in post-conflict countries. UNODC contributed to the training programme organized by the Department in October 2011. In addition, a UNODC prison reform project was implemented jointly with the United Nations Mission in South Sudan.

57. During the reporting period, UNODC developed several handbooks and other tools to support technical assistance, including the *Guide for Practitioners: Criminal Justice Reform in Post-Conflict States*, developed with the United States Institute of Peace; the *Introductory Handbook on Policing Urban Space*; the *Handbook on Police Accountability, Oversight and Integrity*; and the *Criteria for the Design and Evaluation of Juvenile Justice Reform Programmes*, which was

published in the framework of the Interagency Panel on Juvenile Justice. UNODC is finalizing a handbook on the international transfer of foreign prisoners; a handbook on the social reintegration of offenders and the prevention of recidivism; and, in cooperation with the International Committee of the Red Cross, a handbook on strategies to reduce overcrowding in prisons.

V. Data collection, research and trend analysis

58. In the framework of its regional programmes, UNODC developed a series of regional transnational organized crime threat assessments in 2011. The assessments examine a range of transnational criminal activities such as trafficking in illicit drugs, human beings, arms, natural resources and wildlife, and piracy. A report on Central Africa published in October 2011 highlighted the manner in which transnational organized crime contributed to perpetuating instability. Further assessments, on East Asia and the Pacific, Central America and the Caribbean, West Africa and East Africa, are planned for 2012. Threat assessments were also selected as a key area of work by the newly established United Nations system task force on transnational organized crime and drug trafficking as threats to security and stability.

59. In October 2011, UNODC published a study on illicit financial flows resulting from drug trafficking and other transnational organized crime, examining the magnitude of illicit funds generated by drug trafficking and organized crime and the extent to which those funds were laundered.

60. UNODC supported the implementation of surveys on corruption and the integrity of civil servants to enable countries to identify areas with higher vulnerability to corruption and to develop effective policies and measures to counter corruption. The results of such surveys in South-Eastern Europe were published jointly with national authorities in 2011.

61. UNODC further strengthened the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems by increasing the network of national focal points and reinforcing collaboration with regional organizations on crime and criminal justice data collection. Thanks to efforts by Member States to improve the availability and quality of homicide data, the Office produced the *2011 Global Study on Homicide: Trends, Contexts, Data*, based on comprehensive data from 207 countries and territories. The report analysed homicide trends and patterns and included information on the main factors contributing to intentional killings, such as transnational organized crime, poor social and economic conditions and gender inequality.

62. To develop standards and methodologies for crime and criminal justice statistics, UNODC established, in cooperation with the National Institute of Statistics and Geography of Mexico, the Centre of Excellence for Statistical Information on Governance, Victims of Crime, Public Security and Justice. The centre assists countries in improving the quality and quantity of their crime data. UNODC also contributed to the work of the Conference of European Statisticians to produce a framework for an international classification of crimes for statistical purposes, an important achievement in the process of improving the quality and comparability of crime data.

VI. Emerging policy issues

Piracy

63. UNODC continued providing technical assistance to enhance the capacity of affected Member States in countering maritime piracy and armed robbery at sea. This mandate was recently strengthened through the adoption of Commission on Crime Prevention and Criminal Justice resolution 21/2, on countering maritime piracy, especially off the coast of Somalia and in the Gulf of Guinea.

64. As part of its counter-piracy programme, UNODC supported countries in the Horn of Africa in the prosecution of suspected pirates captured off the coast of Somalia and in ensuring that the trials were effective, efficient and fair. Through its new piracy prisoner transfer programme, the Office assisted the transfer of convicted pirates back to Somalia to serve their sentences. Preventive measures in countering piracy were enhanced through an advocacy programme. UNODC also engaged in initiatives to establish efficient mechanisms and procedures to identify, freeze and seize illicit financial flows generated through piracy.

65. UNODC, jointly with the Department of Political Affairs, heads the United Nations inter-agency mission to the Gulf of Guinea, which is tasked with evaluating the piracy threat in the region and providing recommendations for action.

Cybercrime

66. Under the guidance of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime, UNODC has been gathering information for the study through a questionnaire sent to Member States, private sector entities, academic institutions and intergovernmental organizations. The study is to be considered at the next meeting of the expert group, to be held in the final quarter of 2012. Within the framework of a new global programme on cybercrime technical assistance, UNODC conducted an assessment mission to a country in Central America at the request of the Government for the purpose of further developing a national capacity to combat cybercrime.

Use of new information technologies to abuse and exploit children

67. Pursuant to Economic and Social Council resolution 2011/33, UNODC commenced work on a study facilitating the identification, description and evaluation of the effects of new information technologies on the abuse and exploitation of children, as well as on an assessment of what training States required for the investigation of such offences.

Countering trafficking in cultural property

68. Pursuant to Economic and Social Council resolutions 2010/19 and 2011/42, UNODC prepared draft guidelines on crime prevention and criminal justice responses with respect to trafficking in cultural property. In cooperation with the United Nations Educational, Scientific and Cultural Organization, the International Institute for the Unification of Private Law and INTERPOL, UNODC convened an informal expert group meeting in Vienna from 21 to 23 November 2011. Furthermore, UNODC will convene a second meeting of the intergovernmental

expert group on protection against trafficking in cultural property in June 2012, to consider the draft guidelines and the potential utility of, and possible improvements to, the 1990 model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property.

Illicit financial flows

69. UNODC continued to deliver specialized mentoring and technical assistance, including capacity-building programmes, to improve the ability of Member States to identify, investigate and halt illicit financial flows. Important activities during the reporting period included raising awareness of the problem of illicit financial flows stemming from piracy in the Horn of Africa and capacity-building for institutions tasked with analysing, investigating and prosecuting money-laundering and financing of terrorism cases. UNODC organized two international conferences on the subject and continued to deal with the issue through the framework of working group 5 of the Contact Group on Piracy off the Coast of Somalia. The Office will also study the feasibility of establishing an asset recovery network in West Africa along the lines of the Asset Recovery Inter-agency Network of Southern Africa.

Environmental crime, including trafficking in endangered species of wild fauna and flora

70. UNODC started implementing Economic and Social Council resolution 2011/36, on crime prevention and criminal justice responses against illicit trafficking in endangered species of wild fauna and flora, and strengthened inter-agency cooperation in this area.

71. In the Greater Mekong area, UNODC used the border liaison mechanism to improve law enforcement inter-agency cooperation along and across international borders in the subregion. UNODC also cooperated with the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD) mechanism in order to support the Governments of Cambodia, the Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam in the adoption of effective measures to prevent and prosecute trade in illegal timber. In Indonesia, UNODC supported the capacity of police officers, prosecutors and judges in the areas of countering illegal logging, illicit trade in forest products and related corruption, as well as supporting the response of civil society in that regard.

72. As a member of the International Consortium on Combating Wildlife Crime, UNODC worked with its partners in developing and delivering multi-agency capacity-building and awareness-raising, including seminars and workshops, such as a high-level task force meeting on poaching of rhinoceros for ivory, a workshop on controlled delivery operations for forest and wildlife law enforcement and a senior-level seminar for police and customs officers of the tiger range States.

Identity-related crime

73. In 2011, UNODC published the *Handbook on Identity-related Crime*,[2] setting out options and considerations for practitioners to take into account when addressing such crime, as well as specific challenges in international cooperation and potential partnerships between public and private sectors.

VII. Governance and financial situation of the United Nations Office on Drugs and Crime

74. At the twenty-first session of the Commission on Crime Prevention and Criminal Justice, Member States welcomed the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, and noted that the working group was a useful mechanism for informal dialogue and information exchange reinforcing the transparency and accountability of the Office. In the reporting period, the working group played an important role in preparing action by the governing bodies of the Office in key areas, including strategic and budgetary matters, the programmatic work of UNODC, and evaluation and oversight, as well as the financial situation of the Office.

75. In the working group, Member States achieved consensus on the strategy for the period 2012-2015 for UNODC, which the Secretariat had developed in consultation with Member States. At their reconvened sessions held in December 2011, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice, recommended to the Economic and Social Council the adoption of the strategy. It will be implemented through the biennial programme plans for the periods 2012-2013 and 2014-2015.

76. UNODC established interdivisional task forces that achieved significant progress in implementing the recommendations of the Joint Inspection Unit (JIU/REP/2010/10). The Office continued to streamline the results frameworks of UNODC programmes. Priority was placed on regular performance reports and reviews conducted by the programme review committee. An internal guidance note and a position paper on the protection and promotion of human rights were issued, and a human rights advisory group was established to advise the Executive Director on mainstreaming human rights into the activities of the Office.

77. UNODC continued to develop integrated regional and country programmes to meet regional and national priorities and needs. Regional programmes currently cover East Africa, West Africa, the Arab States, Central America, East Asia and the Pacific, South-Eastern Europe, and Afghanistan and neighbouring countries. New regional programmes for Southern Africa, South Asia, Central America and the Caribbean will soon be launched. The programmes promote ownership by partner countries and inter-agency cooperation. They create effective regional mechanisms for countering organized crime and illicit trafficking, promote fair and effective criminal justice systems and support crime and drug prevention activities, thus

[2] Available from www.unodc.org/documents/treaties/UNCAC/Publications/Handbook_on_ID_Crime/10-57802_ebooke.pdf.

contributing to a holistic approach integrating development, the rule of law and human rights.

78. Evaluation is a key element of the activities of UNODC. Its Independent Evaluation Unit cooperates closely with all parts of the Office to ensure that all UNODC projects and programmes are evaluated, in particular country and regional programmes. Important developments during the reporting period include the evaluation of over 70 projects, two in-depth evaluations and a risk assessment. Evaluation reports, revised evaluation tools, guidelines and templates are available from a new website (www.unodc.org/unodc/en/evaluation/index.html). Further evaluations and integrated evaluation training sessions and the development of new tools are planned, including a tracking system of evaluation recommendations, a tool to track evaluations among the entire UNODC project portfolio, and an online training tool.

79. The funding situation of UNODC remained vulnerable. Less than 1 per cent of the regular budget of the United Nations is allocated to UNODC. Pursuant to Assembly resolution 65/233, the Secretary-General submitted proposals in his proposed programme budget for the biennium 2012-2013 to ensure that UNODC had sufficient resources. As a result, the Assembly approved a small increase of $1.7 million under section 16 of the regular budget, raising the amount from $39.2 million in the biennium 2010-2011 to $40.9 million in the biennium 2012-2013. The UNODC consolidated budget for the biennium 2012-2013 includes $561.5 million, of which 15.3 per cent comes from regular budget funds[3] and $475.4 million comes from extrabudgetary resources.

80. In order to address the challenges linked to the financial situation of UNODC, a fundraising strategy was developed in consultation with Member States. It will be further considered by the intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime. The fundraising strategy focuses on the establishment of a multi-year funding framework and baselines for the thematic and regional programmes, possible funding mechanisms to sustain the core infrastructure and the delivery capacity of the Office, as well as organizational aspects of the effective coordination of the fundraising functions.

VIII. Recommendations

81. **It is recommended that the General Assembly consider taking the following actions:**

(a) Encourage Member States to give special consideration to the linkages between crime prevention and criminal justice and development, especially in the context of preparations for the development agenda beyond 2015 and the implementation of the outcome of the United Nations Conference on Sustainable Development;

[3] Includes regular budget resources contained in sections 1, 16, 23 and 29F of the proposed programme budget for the biennium 2012-2013.

Transnational organized crime

(b) Urge Member States that have not yet done so to ratify or accede to the Organized Crime Convention and the Protocols thereto and to the Convention against Corruption and to take the necessary action to ensure their effective implementation;

(c) Encourage Member States to take steps to strengthen their national criminal justice systems to address the illicit trade in fraudulent medicines;

(d) Encourage Member States to develop targeted and effective strategic policies to address organized crime and to lend support to States undertaking serious organized crime threat assessments with the assistance of UNODC;

(e) Encourage Member States to effectively investigate and dismantle criminal groups engaged in serious organized crime;

(f) Encourage Member States to support cooperative initiatives such as the Central American Network of Organized Crime Prosecutors in order to strengthen international judicial cooperation;

(g) Request UNODC to assist Member States in implementing adequate procedures and mechanisms to strengthen national firearms control regimes and to promote international legal cooperation and the exchange of information for investigating and prosecuting illicit trafficking in firearms;

(h) Request UNODC to continue its collection and analysis of organized crime cases and to identify and disseminate good practices and lessons learned in the investigation and prosecution of organized crime;

Curbing corruption

(i) Encourage Member States that have not yet done so to ratify or accede to the Convention against Corruption and to support its full implementation and encourage States parties and signatories to the Convention to make efforts towards its full implementation;

(j) Encourage States parties and signatories to the Convention against Corruption to continue to provide full support to the Review Mechanism adopted by the Conference of the States Parties to the United Nations Convention against Corruption;

(k) Encourage Member States to give full effect to resolutions on the prevention of corruption and asset recovery adopted by the Conference at its fourth session and to support the work carried out by its working groups;

Countering terrorism

(l) Encourage Member States to ratify and implement the international legal instruments against terrorism;

(m) Request UNODC to sustain focused attention on, and support for, the efforts by Member States to strengthen the legal regime against terrorism and to continue the delivery of assistance for enhancing related national capacities;

Cooperation in the forensic field

(n) Request UNODC, in collaboration with Member States, to continue to support the enhancement of capacity and skills in the field of forensic sciences, including the setting of standards, the development of technical assistance material for training, such as manuals, compilations of useful practices and guidelines and scientific and forensic reference material for law enforcement officials and prosecution authorities, in order to enhance their expertise and capacity to prevent and combat transnational organized crime;

Preventing crime and strengthening criminal justice systems

(o) Request Member States:

(i) To continue to attach high priority to strengthening the rule of law through the prevention of crime and the promotion of fair, humane and accountable criminal justice systems;

(ii) To initiate or strengthen proactive crime prevention policies, programmes and strategies that address the root causes of crime and that optimize cooperation between different sectors of government, civil society and the business sector;

(iii) To adopt a comprehensive and integrated approach to crime prevention and criminal justice reform, based on baseline assessments and data collection, focusing on all sectors of the justice system and informal justice mechanisms;

(iv) To build national and regional efforts in crime prevention and criminal justice reform on international standards, including human rights treaties and relevant United Nations standards and norms, and make use of tools and handbooks developed by UNODC for that purpose;

(v) To strengthen their support for the work of UNODC in the area of crime prevention and criminal justice, which is a cornerstone in the advancement of the rule of law and human rights, and a prerequisite for the effective and sustainable fight against organized crime, corruption and terrorism;

(vi) To review and develop their HIV and tuberculosis and health programmes in prisons in accordance with international standards to ensure equitable access to health care in prisons and reduce related mortality and morbidity;

Data collection, research and trend analysis

(p) Encourage the international community to further develop multilateral strategies against specific transnational organized criminal markets on the basis of international threat assessments and joint response planning;

(q) Encourage Member States to support and contribute to the preparation of the biennial global report on trafficking in persons of UNODC;

(r) Request UNODC, within its existing mandate, to strengthen the collection and dissemination of accurate, reliable and comparable data and information to enhance knowledge on crime trends, including emerging forms of crime, and to provide trend analyses and studies based on the information produced by Member States;

Emerging policy issues

(s) Encourage Member States to support UNODC in strengthening its global programme of technical assistance in cybercrime and in completing its comprehensive study on the impact of, and response to, cybercrime;

(t) Urge Member States to take appropriate measures to prevent and combat the illicit trafficking in endangered species of wild fauna and flora, including by utilizing the Wildlife and Forest Crime Analytic Toolkit of the International Consortium on Combating Wildlife Crime and by adopting necessary legislation and strengthening international, regional and bilateral cooperation;

(u) Encourage Member States to support UNODC in its multi-agency approach to deliver technical assistance and capacity-building with the aim of preventing illicit trafficking in endangered species of wild fauna and flora;

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(v) Encourage Member States and regional entities to draw on the technical assistance provided by UNODC through its regional and thematic programmes and to use those programmes as a vehicle for increasing regional and international cooperation to promote the rule of law and counter transnational threats such as organized crime and illicit trafficking;

(w) Encourage Member States to address, as a matter of urgency, the need to provide UNODC with adequate predictable and stable resources, including additional regular budget resources, to enable it to implement its mandated work in a sustainable manner, and to provide the necessary voluntary contributions to enable the Office to effectively respond to the increasing demand for technical assistance.